

Message Text

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ACTION EB-08

INFO OCT-01 EUR-12 IO-13 ISO-00 AGR-05 L-03 FRB-03

OMB-01 ITC-01 SP-02 USIA-06 AID-05 CIAE-00

COME-00 INR-07 LAB-04 NSAE-00 OIC-02 SIL-01

STR-04 TRSE-00 CEA-01 PA-01 PRS-01 AF-10 ARA-06

EA-07 NEA-10 DODE-00 DOTE-00 FMC-01 CG-00 DLOS-09

OES-06 /130 W

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R 191422Z APR 77

FM USMISSION GENEVA

TO SECSTATE WASHDC 6646

INFO ALL OECD CAPITALS

AMEMBASSY MOSCOW

AMCONSUL HAMBURG

LIMITED OFFICIAL USE SECTION 1 OF 2 GENEVA 2865

E.O. 11652: N/A

TAGS: EWWT, UNCTAD

SUBJECT: UNCTAD - 8TH COMMITTEE ON SHIPPING

1. SUMMARY. PLENARY OF UNCTAD COMMITTEE ON SHIPPING CREAKED ALONG DURING ITS FIRST FOUR DAYS (APR 12-15), ELECTING OFFICERS AND PERFUNCTORILY PERMITTING COMMENT ON ONLY ONE ITEM OF SUBSTANCE, THE CODE OF CONDUCT FOR LINER CONFERENCES. LATE ARRIVAL OF SUBSTANTIVE DOCUMENTS (SOME ARRIVING AFTER THE DELEGATES THEMSELVES) PREVENTED MOST DELS (INCLUDING U.S.) TO COMMENT SUBSTANTIVELY OR PARTICIPATE IN DECISION-MAKING. GROUP B MEETINGS HAVE ABLY COVERED ANTICIPATED CONTINGENCIES, AND HAVE PERMITTED VALUABLE EXCHANGES RE PLENARY.

2. EIGHTH SESSION OF COMMITTEE ON SHIPPING WAS OPENED WITH A SPEECH BY UNCTAD SEC GEN. HIS SPEECH WAS LDC ORIENTED AND EMPHASIZED THREE AREAS IN WHICH HE FORESAW COMMITTEE INTEREST AND POSSIBLE ACTION: (1) QUICK RATIFICATION OF LIMITED OFFICIAL USE

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THE CODE OF CONDUCT FOR LINER CONFERENCES, (2) EXAMINATION OF THE ECONOMIC CONSEQUENCES OF THE LACK OF A GENUINE LINK BETWEEN VESSEL AND FLAG OF REGISTRY, AND THE EFFECT OF THAT PHENOMENON ON THE DEVELOPMENT OF MERCHANT FLEETS BY LDC'S, AND (3) DISCUSSION OF INSTITUTIONAL ARRANGEMENTS FOR WORK ON TRANSPORT QUESTIONS (I.E., FOCAL POINT IN UNCTAD FOR INTEGRATED TRANSPORT POLICY).

HE ALSO LAMENTED THE SMALL PARTICIPATION BY LDC'S IN BULK AND TANKER TONNAGE.

3. THROUGH SELECTION IN THE VARIOUS GROUPS, THE FOLLOWING OFFICERS WERE ELECTED: CHAIRMAN - KIBRIA (BANGLADESH); VICE-CHAIRMAN - ADERO (KENYA), BANK (U.S.), ROMERO (COLOMBIA), TOMITA (JAPAN), AND YEE CHE FONG (MALAYSIA); AND RAPPORTEUR - LEVIKOV (USSR).

4. CONSIDERABLE DISPLEASURE WAS EXPRESSED BY ALL GROUPS AND MANY INDIVIDUAL DELEGATIONS CONCERNING THE LATE DELIVERY OF DOCUMENTS PERTAINING TO IMPORTANT AGENDA ITEMS AS WELL AS THE FACT THAT ALL DOCUMENTS WERE NOT AVAILABLE IN ALL LANGUAGES. DUE TO APPARENT DISSARRAY AND INDECISION WITHIN GROUP OF 77, SEVERAL PLENARY SESSIONS HAVE BEEN CANCELLED. GROUP B MEETINGS WERE HELD HOWEVER, AND COMMON POSITIONS, COMPATIBLE WITH USDEL INSTRUCTIONS WERE ADOPTED. THE SESSIONAL COMMITTEE WAS NOT ESTABLISHED UNTIL APRIL 18, AND WAS ASSIGNED TASK OF CONSIDERING ITEMS 6(A), 6(B), 6(C), 8 AND 11 (PORTS AND TREATMENT OF VESSELS IN PORTS).

5. AGENDA ITEM 3 (WORLD DEVELOPMENTS IN SHIPPING), WAS DISCUSSED IN PLENARY AND DREW STRONG COMMENT FROM THE LDC'S (GHANA AND MALAYSIA PARTICULARLY) UPBRAIDING CONFERENCES FOR INCREASED FREIGHT RATES AND SURCHARGES, AGAIN LAMENTING THE SMALL SIZE OF LDC FLEETS, AND (3) NOTING THE LACK OF FINANCING FOR ENLARGING LDC FLEETS.

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6. ON THE STATUS OF THE CODE (ITEM 4), SEVERAL LDC'S, LED BY PAKISTAN, EXPRESSED DISMAY THAT AFTER THREE YEARS THE CODE HAS STILL NOT BEEN BROUGHT INTO FORCE, AND POINTEDLY ASKED THAT THOSE COUNTRIES (ESPECIALLY WITHIN GROUPS B AND D), WHICH VOTED FOR OR SIGNED THE CODE, BUT WHICH HAD NOT YET RATIFIED IT, EXPLAIN WHY THEY WERE DRAGGING THEIR FEET. THE LDC'S, ESPECIALLY INDIA, ECHOED THE STATEMENT BY UNCTAD SEC GEN THAT CODE SHOULD BE BROUGHT INTO FORCE FIRST AND THEN BE AMENDED, IF NEED BE, IN THE LIGHT OF OPERATIONAL EXPERIENCE. INDIA EMPHASIZED THAT NO AMENDMENT TO CODE WILL BE TOLERATED BY 77 UNTIL CODE BROUGHT INTO FORCE. THE EEC THROUGH THE UK DEL RESPONDED, SAYING THAT THE NINE HAVE

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SIGNIFICANT LEGAL PROBLEMS WITH RATIFICATION; THE USSR (AVERIN), RESERVING THE RIGHT FOR FURTHER COMMENT, DRA-
MATICALLY TOOK UMBRAGE AT THE PAKISTANI SUGGESTION THAT
THOSE WHO VOTED "YES" ON THE CODE IN 1974 HAD DECEIVED
THE LDC'S INTO BELIEVING THE CODE WOULD BE PROMPTLY
BROUGHT INTO FORCE. THE JAPANESE REITERATED THEIR POSI-
TION THAT WHILE HAVING VOTED FOR THE CODE, THEY TOO HAD
PROBLEMS WITH THE DOMESTIC IMPLEMENTING LEGISLATION
REQUIRED BY ART. 43 OF THE CODE AND THAT IT IS THEIR
BELIEF THAT THE CODE MUST BE UNIVERSALLY ACCEPTED TO
BE WORKABLE. OF INTEREST IS FACT THAT BRAZIL, A TRA-
DITIONAL LEADER OF G-77 ON CODE HAS NOT BEEN PRESENT
DURING CODE DEBATE.

7. SUBSTANTIVE DISCUSSION OF THE GENUINE LINK BETWEEN
VESSEL AND FLAG, WILL BE RESISTED PROCEDURALLY BY
GROUP B ON THE GROUND THAT THE LATE ARRIVAL OF DOCU-
MENTATION MAKES IT IMPOSSIBLE TO DISCUSS THE SUBJECT.
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OF INTEREST ON THIS ITEM IS THE ABSENCE AT MEETING OF
LIBERIA, SINGAPORE, PANAMA, CYPRUS AND SOMALIA.

8. IMCO SEC GEN SRIVASTAVA ADDRESSED THE PLENARY DIS-
CUSSING IMCO'S ROLE IN INTERNATIONAL MARITIME MATTERS

AND TO COMBAT THE ANTICIPATED CHALLENGE TO IMCO'S
ROLE BY UNCTAD VIA AGENDA ITEM 13 (INSTITUTION ARRANGE-
MENTS FOR WORK ON TRANSPORT QUESTIONS). HE STRONGLY
ASSERTED THAT IMCO ALREADY PLAYS A KEY ROLE IN THE AREA
INTO WHICH THE SECRETARIAT HAS URGED UNCTAD TO INTRUDE
ITSELF. FOLLOWING HIS SPEECH, GROUP B, D AND 77 SPOKES-
MEN, AS WELL AS U.S. AND MEXICAN DELS TOOK FLOOR TO
SUPPORT IMCO AND ITS ROLE. INSTRUCTIONS AND REQUESTS
PER LONDON 5988 CARRIED OUT. FURTHER DISCUSSION ON
THIS ITEM SCHEDULED FOR LATER IN WEEK. SORENSON

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